

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MEDEFIS, INC.,

Plaintiff,

vs.

ATLAS MEDSTAFF LLC, SILVER CUP
FUNDING LLC, HMF CAPITAL GROUP,
INC., and P2BINVESTOR, INC.,

Defendants.

8:19CV377

ORDER

This matter is before the Court on several matters. Plaintiff filed a response ([Filing No. 48](#)) to the Court's Order to Show Cause ([Filing No. 44](#)). The Court finds Plaintiff has demonstrated good cause for its failure to serve defendant Silver Cup Funding LLC, within 90-days pursuant to Fed. R. Civ. P. 4(m). Silver Cup Funding LLC has now been served. ([Filing No. 47](#)). Accordingly, the show cause deadline is terminated.

P2Bi Holdings LLC has filed an Unopposed Motion to Intervene ([Filing No. 37](#)). P2Bi Holdings LLC represents it purchased substantially all of the assets of P2Binvestor, Inc., and therefore holds the right to the monies owed to P2Binvestor, Inc. by Plaintiff. P2Bi Holdings LLC intends to file a proposed Complaint in Intervention ([Filing No. 38-1](#)) that it represents contains the same factual and legal issues "presented by P2Binvestor, Inc.'s counterclaim, and subsume those presented by Medefis' Complaint." See [Fed. R. Civ. P. 24\(c\)](#) ("The motion [to intervene] must state the grounds for intervention and be accompanied by a pleading that sets out the claim or defense for which intervention is sought."). Upon review, the Court finds that P2Bi Holdings LLC has demonstrated that it should be granted leave to intervene in this action as a matter of right pursuant to Rule 24(a)(2) of the Federal Rules of Civil Procedure. See [Fed. R. Civ. P. 24\(a\)\(2\)](#) ("On timely motion, the court must permit anyone to intervene who . . . claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest."). Accordingly,

IT IS ORDERED:

1. P2Bi Holdings LLC's Unopposed Motion to Intervene ([Filing No. 37](#)) is granted. P2Bi Holdings LLC shall file its Complaint in Intervention ([Filing No. 38-1](#)) on or before **December 30, 2019**. The Clerk of Court shall add P2Bi Holdings LLC to the case caption as an Intervenor.
2. The show cause deadline ([Filing No. 44](#)) for Plaintiff is terminated.

Dated this 18th day of December, 2019.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge